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DOC #:
DATE FILED: 3/7/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
CARMEN TAVAREZ-VARGAS, Individually,	:	
and On Behalf of All Others Similarly Situated,	:	21-CV-9867 (VEC)
	:	
Plaintiff,	:	<u>ORDER</u>
-against-	:	
	:	
LISTENER BRANDS, INC.,	:	
	:	
Defendant.	:	
-----X	:	

VALERIE CAPRONI, United States District Judge:

WHEREAS pursuant to Federal Rule of Civil Procedure 4(m), Plaintiff must effectuate service of process within 90 days of the filing of the Complaint;

WHEREAS Plaintiff commenced this action on November 23, 2021, *see* Dkt. 1;

WHEREAS Plaintiff's deadline for effecting service was February 21, 2022;

WHEREAS no affidavits of service have been filed;

WHEREAS Defendant has not appeared;


WHEREAS on February 24, 2022, the Court ordered Plaintiff to show cause no later than March 4, 2022, why this action should not be dismissed without prejudice for failure to serve pursuant to Rule 4(m), *see* Dkt. 6; and

WHEREAS to date, Plaintiff has not responded to the Court's February 24, 2022 Order;

IT IS HEREBY ORDERED that this action is dismissed without prejudice for failure to serve pursuant to Rule 4(m). The Clerk of Court is respectfully directed to terminate the case.

SO ORDERED.

Date: March 7, 2022
New York, New York


VALERIE CAPRONI
United States District Judge